

Notice of Allowability	Application No.	Applicant(s)	
	10/812,149	MACLAREN ET AL.	
	Examiner	Art Unit	
	Thanh D. Vo	2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 10/26/2007.
2. ☒ The allowed claim(s) is/are 1-3 and 6-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

ALLOWANCE

1. This Allowance is responsive to the amendment filed on October 26, 2007. Applicant's arguments to independent claims 1, 10, 14, and 17 on pages 7-8 of the Remarks have been considered and Examiner is persuaded by the Applicant's arguments.

2. The following is an examiner's statement of reasons for allowance:

The primary reasons for allowance of claims 1, 10, and 17 in the instant application are the combination with the inclusion in these claims that there is the limitation of "...a memory module is present in the computer system but isolated wherein, using the memory subsystem's redundancy, transactions that target said isolated memory module can complete without loss of data and without accessing said isolated memory module, and while isolated, said memory module is tested by one of a system management interrupt (SMI) handler...".

The primary reasons for allowance of claim 14 in the instant application are the combination with the inclusion in the claim that there is the limitation of "...a means for isolating a newly inserted memory module so as to preclude an operating system from causing data to be written to or read from said newly inserted memory module, yet completing transactions targeting said newly inserted memory module using redundancy of the memory subsystem, and for testing said memory module."

According to 35 USC 112, 6th paragraph (means plus function), wherein the function to perform the limitation above is "a SMI routine" found on paragraph 0018,

lines 19-24, wherein "a system management interrupt permits a processor to run code without the involvement of the operating system. As such, a SMI routine may implemented as a memory diagnostic test. The diagnostic SMI may access the isolated memory module via the addressable region which may be mapped via hardware to addressable region which corresponds to the isolated memory."

In light of the reason set forth, claims 1, 10, 14, and 17 are allowable. All claims that are depending from claims 1, 10, 14, and 17 directly or indirectly are allowable for at least the same reason noted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh D. Vo whose telephone number is (571) 272-0708. The examiner can normally be reached on M-F 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Reginald G. Bragdon can be reached on (571) 272-4204. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Application/Control Number:
10/812,149
Art Unit: 2189

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thanh D. Vo
Patent Examiner
AU 2189
1/07/2008



HYUNG S. SOUGH
SUPERVISORY PATENT EXAMINER

01/07/08